

"Express Mail" mailing label number EV339774588US

Date of Deposit: January 8, 2004

Our Case No.: 9974/81

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Chi Duong

Serial No.: To Be Assigned

Filing Date: Herewith

For: SYSTEM AND METHOD FOR  
DYNAMICALLY QUIESCING  
APPLICATIONS

Examiner: To Be Assigned

Group Art Unit No.: To Be Assigned

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

No.	Date	Name
5,339,405	8/16/94	Elko et al.
5,481,738	1/2/96	Bartow et al.
5,615,329	3/25/97	Kern et al.
5,764,912	6/9/98	Rosborough
5,812,780	9/22/98	Chen et al.
5,696,897	12/9/97	Dong
5,991,768	11/23/99	Sun et al.
6,047,323	4/4/00	Krause

6,108,700	8/22/00	Maccabee et al.
6,393,480 B1	5/21/02	Qin et al.
2002/0124087 A1	9/5/02	Asai et al.
6,484,129 B2	11/19/02	Klein et al.
6,493,741 B1	12/10/02	Emer et al.
2003/0093527 A1	5/15/03	Rolia
2003/0105944 A1	6/5/03	Emer et al.
2003/0145080 A1	7/31/03	Breese et al.
<b>OTHER ART</b>		
"Concord Communications – Application Response," Enterprise Management Associates, Product View, January 2003.		
"Application Response Time Monitoring," <a href="http://www.applicationmonitoring.co.uk/categories/application_response_time_monitoring.htm">http://www.applicationmonitoring.co.uk/categories/application_response_time_monitoring.htm</a>		

In accordance with 37 C.F.R. § 1.97(g),(h), this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these material, the Commissioner is hereby authorized to deduct said fees from Brinks

Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

Applicant(s) respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



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David H. Bluestone  
Registration No. 44,542  
Attorney for Applicant(s)

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FORM PTO-1449	SERIAL NO. To Be Assigned	CASE NO. 9974/81
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE Herewith	GROUP ART UNIT To Be Assigned
(use several sheets if necessary)	APPLICANT(S): Chi Duong	

**REFERENCE DESIGNATION**
**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	5,339,405	8/16/94	Elko et al.		
	A2	5,481,738	1/2/96	Bartow et al.		
	A3	5,615,329	3/25/97	Kern et al.		
	A4	5,764,912	6/9/98	Rosborough		
	A5	5,812,780	9/22/98	Chen et al.		
	A6	5,696,897	12/9/97	Dong		
	A7	5,991,768	11/23/99	Sun et al.		
	A8	6,047,323	4/4/00	Krause		
	A9	6,108,700	8/22/00	Maccabee et al.		
	A10	6,393,480 B1	5/21/02	Qin et al.		
	A11	2002/0124087 A1	9/5/02	Asai et al.		
	A12	6,484,129 B2	11/19/02	Klein et al.		
	A13	6,493,741 B1	12/10/02	Emer et al.		
	A14	2003/0093527 A1	5/15/03	Rolia		
	A15	2003/0105944 A1	6/5/03	Emer et al.		
	A16	2003/0145080 A1	7/31/03	Breese et al.		

EXAMINER INITIAL	<b>OTHER ART – NON PATENT LITERATURE DOCUMENTS</b> (Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)	
	A17	"Concord Communications – Application Response," Enterprise Management Associates, Product View, January 2003.
	A18	"Application Response Time Monitoring," <a href="http://www.applicationmonitoring.co.uk/categories/application_response_time_monitoring.htm">http://www.applicationmonitoring.co.uk/categories/application_response_time_monitoring.htm</a>
	A19	
	A20	
	A21	
	A22	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.